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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

UNITED STATES OF AMERICA, )  
Plaintiff, ) No. 3:20:CR-00273-IM  
vs. )  
MARK Y. KOLYVANOV ) DECLARATION OF COUNSEL IN  
Defendant. ) SUPPORT OF UNOPPOSED MOTION  
 ) TO MODIFY RELEASE CONDITIONS

**I, Christopher Marin Hamilton, declare the following:**

1. I am counsel of record in this matter for the defendant, Mark Kolyvanov.

2. Mr. Kolyvanov tells me that he works as a delivery driver for DoorDash. DoorDash is a third-party food/grocery delivery service through which customers place delivery orders from any number of restaurants and grocery stores throughout the Portland metropolitan area. Once an order is placed, DoorDash assigns a driver to retrieve the order from the restaurant/grocery store and then deliver it to the customer.
3. Mr. Kolyvanov tells me that the combination of relatively few available drivers and minimal traffic, resulting in higher fuel efficiency (he drives an SUV), makes the "late-night rush" – approximately 11:00 PM to 02:30 AM – the most profitable time for him to work as a DoorDash driver. Mr. Kolyvanov also tells me that Luc Lac, located near the intersection of SW Second Avenue and SW Taylor Street, is one of the most popular late-night restaurants among DoorDash customers.
4. Mr. Kolyvanov is currently subject to pretrial release conditions imposing a 10pm to 6am curfew and a prohibition against coming within five blocks of the Federal Courthouse. Mr. Kolyvanov, who has experienced periods of housing instability and houselessness, tells me that these release conditions have substantially hindered his ability to earn a living. I am therefore requesting that the Court remove the curfew as a release condition. I am further requesting that the Court modify the geographic restriction to allow Mr. Kolyvanov to travel to and from Luc Lac for the purpose of retrieving delivery orders.
5. I have contacted Assistant United States Attorney Parakram Singh, and he does not oppose these modifications.

6. I have contacted United States Pretrial Services Officer Emely Cubias, and she tells me that pretrial would defer to the Court on these modifications since Mr. Kolyvanov is not on formal pretrial supervision.

**I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on September 21, 2020 in Portland, Oregon.**

Dated September 22, 2020.



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Christopher Marin Hamilton, OSB No. 143804  
Attorney for Defendant Mark Kolyvanov